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Policy Advocacy in Resolving an Environmental Preservation Conflict: A Case of Policy Advocacy between the Government, Private Sector and Society in Kayen, Pati, Central Java

Ramaditya Rahardian
Public Policy Master Program, Faculty of Social and Political Sciences
Airlangga University
ramaditya.rahardian-2018@fisip.unair.ac.id

Ibnu Fath Zarkasi
Public Administration, Faculty of Social and Political Sciences
Sebelas Maret University, Surakarta
ibnufathzarkasyi@ymail.com

Abstract

The quality of first category karst has attracted investors to build a cement factory in the Kendeng Mountains. This interest investor later received various responses by the local community who joined the community rejecting the cement factory, Jaringan Masyarakat Peduli Pegunungan Kendeng (JMPPK). The rejection was based on the reasons that the establishment of a cement factory in the area would have an impact on the local environment in general and pollution, degradation and damage to springs, loss of agricultural land and employment opportunities accompanying farmers, the spread of certain diseases that would endanger the communities living in around it. Specifically, this article examines the use of advocacy strategies involving formal and informal initiatives undertaken by the Kendeng community to influence the local government's decision to issue operational licenses to build a cement factory in Kayen District, Pati District based on environmental considerations. This article uses a qualitative research design. The results showed that the policy advocacy initiative, which included formal and informal channels by the Gunung Kendeng Community Care Network to influence policy in issuing operational licenses for the construction of the Kayen cement plant, proved successful. Policy advocacy culminated in a decision of the highest court that ruled against an operational permit that the local government had given to a local subsidiary of PT Indocement to build a cement factory in the Kayen area.

Keywords: *community network, environmental permit, policy advocacy*

INTRODUCTION

What perhaps may be considered the root cause of the problem is the abundance of raw materials for cement production in Kayen Subdistrict, Pati Regency. PT. Indocement through its subsidiary, PT. Sahabat Mulia Sakti applied for permission to build a cement factory in Kayen Sub-district. The application was approved by the local government through Pati Regent's decision No. 660.1/4767/2014 on Environmental Permit for the Construction of a Cement Plant, and limestone and claystone mining in Pati Regency awarded to PT. Sahabat Mulia sakti in December 8, 2014. Consequently, the farmers of Pati Regency have since faced continuous harassment as the expansion of the cement industry's mining capital went underway. Having faced refusal and rejection to build cement factories in Sukolilo and Kayen Sub-district, PT. Semen Gresik, now PT Indocement, turned its activities and efforts to build a cement factory in Kayen and Tambakromo Districts. The decision by the sub district government to issue decision that in principle approved the construction of a cement plant in Kayen, aroused anger and protest from the local community. To channel community anger, Pegunungan Kendeng Community Care Network (JM-PPK), a community coalition to conduct policy advocacy was formed. The main aim was to convince the local government to reverse the decision to allow the cement construction project because of the potential to generate detrimental effects to community health, economy, social relations, and environment and ecosystem sustainability. This research assesses policy advocacy activities of Pegunungan Kendeng Community Care Network (JM-PPK) and determinants of the success of such efforts that led to the rejection of the proposal to establish a cement factory in Kayen sub district. The novelty in this article lies in its contribution to the best practice in policy advocacy strategy that links the issuing of operational license for the con-

struction of cement factory to proof of project environmental sustainability.

Mining activities in the first class karst area have detrimental effects on the local environment, ranging from the loss of a topography (hill landscape), which in turn adversely affects the hydrological functions of the area that include controlling ecosystem both above and below the surface, loss of 2,600 acres of forest area, which PT. Sahabat Mulia Sakti wants to use to build cement factories in Tambakromo and Kayen Subdistricts (Tempo.co, 2014). In that backdrop, the population living in the vicinity of Kendeng Mountains driven by concern about the detrimental effect that the construction of the cement factories in the area would have on the environment on the forest ecology ecosystems decided to take a stand to oppose the proposed project. Karst area in Kayen Subdistrict has a variety of benefits for the local community, including land for farming and plantations, source of spring water daily needs and farming purposes. The refusal to approve the proposal to construct a cement factory in Pati Regency, based on article 12, Minister of Energy and Mineral Resources statement No.1456/K/20/MEM/2000, was based on several considerations, including of the fact that Pati Karst area which is Karst I category, serves as a water catchment and storage area for water springs that channel water to settlements in the north and south; the planned location of PT Sahabat Mulia Sakti's mining development plan overlaps and in contravention of the Minister of Energy and Mineral Resources Decision No. 0398 K/40/MEM/2005 on the Establishment of the Sukolilo Karst Area.

The Kendeng Mountains community had serious concern about the impact that the establishment of the cement plant in the area would have on the local environment in general and pollution, degradation and damage to springs, loss of agricultural land and attendant employment opportunities for

farmers, spreading of certain diseases that would endanger the community living in the vicinity. Considering the above factors, residents of the community living in the vicinity of Kendeng mountains refused and protested the planned construction of a cement factory in Kayen Subdistrict. Protests a public policy constitute an element and component of policy advocacy. Advocacy as used in this article refers to activities that relate to building strong democratic organizations that are aimed at enhancing the accountability of those vested with power and authority to govern, as well as increase public awareness and understanding of ways power works (Miller & Covey, 2015). In addition as Topatimasang (2016) argues, “public policy advocacy is an attempt to improve or change a public policy in accordance with the will or interest of those who urge the improvement or change”. Meanwhile, Young and Quinn (2002), in (Suharto, 2014) offer alternative definitions of policy especially those in relation to social policy by referring to the advocacy as “a process that involves a set of political actions taken by organized citizens to transform power relations. In other words, advocacy is driven by the need to achieve policy changes that generate benefits to people who are involved in the process.

Problems often arise when relations and interests of three key actors of public governance, who also happen to be the main stakeholders in society, inter alia, the state, the private sector, and society, are in a state of disequilibrium. Such a condition creates fertile ground for the development of policies that are while serve interests of the private sector and government, prove detrimental to society. It is a process that heightens and intensifies contestation and disputes among the three actors. Policy advocacy involves the conduct of systematic and organized efforts by a community movement aimed at influencing and pushing for gradual changes in public policy. Effective poli-

cy advocacy follows several steps, including (i) Establishing the Core Circle; (ii) Selecting Strategic Issues; (iii) Designing Goals and Strategies; (iv) Processing Data and Packaging Information; (v) Raising Allies and Supporters; (vi) Submitting Comparative Drafts; (vii) Influencing Policy Makers; (viii) Forming Public Opinions; (ix) Building Movement Bases; and (x) Monitoring and Assessing Programs (Topatimasang, 2016). Figure 1 illustrates the portrait of an integrated advocacy strategy in based on Topatimasang (2016) postulation.

There has been a lot of previous research on policy advocacy, both national and international, including, a research by Nicolle & Leroy (2017), which used the Advocacy Coalition Framework theory to investigate the level of understanding and knowledge about the capacity of conservation policy action in France and Brazilian Amazon. Research findings showed coalitions on protected areas share the same goal of controlling and reducing deforestation rate, and the success of their policy advocacy depends on both internal factors (their ability to gather strategic resources) and external factors (context social-political and international pressure).

Meanwhile, Pierce (2016) examines dynamics of members in competing coalitions that attempt to influence public policy, with special focus on the establishment of various regulations related to hydraulic fracturing in Colorado, the findings in his research showed that in fighting for the adoption of stringent regulation, successful coalitions use various strategies and have greater public support than their opponents. The study also suggests that among successful coalition members, successful strategies are associated with good leadership and information resources but not access to enough financial resources.

A research by Ten Hoope-Bender et al. (2016) assesses the impact of the use of advocacy and data to strengthen political accountability on the health of mothers and

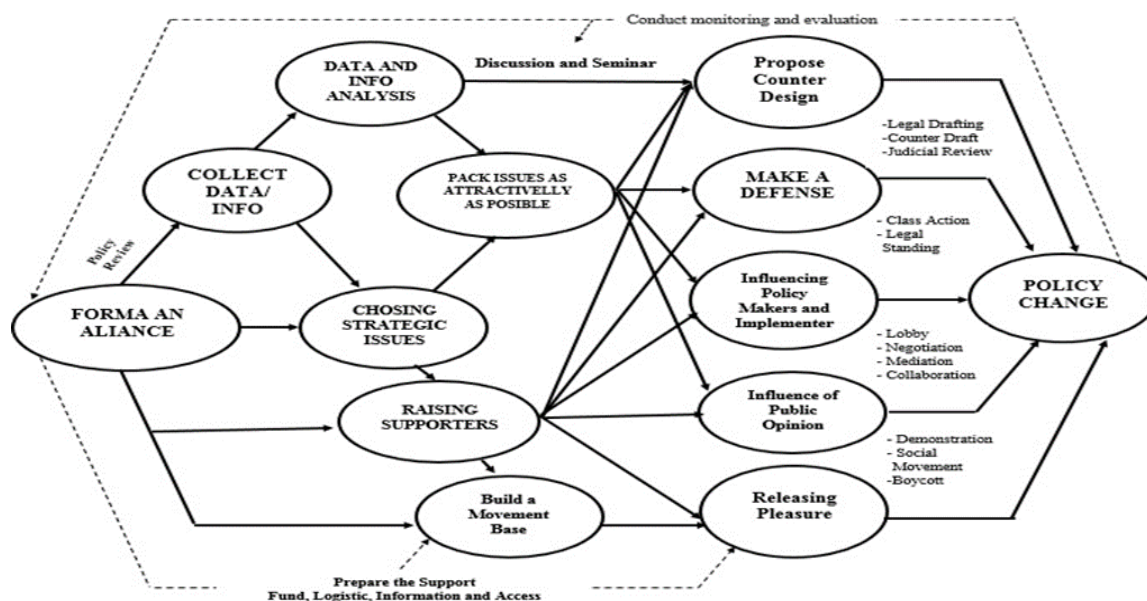


Figure 1. Integrated Advocacy Flow Chart Topatimasang

Source: Topatimasang, 2016

newborns in Africa. Larry Maxwell (2015) reviews the performance of advocacy activities conducted by several major non-profit organizations that focus on cancer. The research evaluates the performance of several non-profit organizations policy advocacy efforts on cancer. The research involved the collection of data based on a review of the news media, medical literature, and financial records that related to organizational structure and productivity of several successful cancer advocacy organizations. A research by Hess (2018) discusses the adoption of energy democracy framework by intermediaries in integrating a transition-energy coalition in the state of New York. Wong (2016) evaluates the impact of a coalition of advocacy and policy change in China in protest the existence of an incinerators in government pollution control in Guangzhou China. The research used of an advocacy coalition framework prism to evaluate the dynamics and relations between government and demonstrators. The research involved the establishment of a Public Consultation and Oversight Committee for Urban Waste, a public consultation mechanism for waste management. A study conducted by Barnes,

van Laerhoven, & Driessen 2016) assesses the influence of civil society-led coalitions on the implementation of forest rights laws in India. Results of the study underscored the importance of choice of activist strategies, and involvement of various key stakeholders in policy advocacy inter alia, researchers, and lawyers in achieving movement goals.

Meanwhile, in an article on policy advocacy at the national level, Arshanti, Kartodihardjo & Khan (2017), discusses the implementation of an advocacy coalition framework to address problems and policies relating to sustainable management of natural production forests. Meanwhile, Simamora (2017) conducted a review of the influence of online petitions as a tool in policy advocacy in the 2015-2016 period on the change.org website. Nenobais, Kasim, & Maksum (2017) examined capacity building efforts at the growth stage conducted by Pesat Papua Foundation. While the research does not provide a detailed discussion of policy advocacy, the foundation plays similar role in promoting growth in Papua to that evident in previous research on policy advocacy such as. Another research by Rahardian

& Haryanti (2018), examines the influence of the paralegal approach to contest Government Regulation No. 78/ 2015 on wages that set maximum ceiling on annual increase in minimum wage, this research looks at the extent to which policy change advocacy using the paralegal path by labor organizations in the city of Surakarta. However, the policy advocacy failed to achieve its objective.

Meanwhile, Anggalih , Amal (2019), uses an ACF lens to assess the advocacy coalition in negotiating contesting interests in policy formulation on medium term development plan (RPJMD), Yogyakarta special administrative region (DIY) 2017-2022, the findings highlighted various actors who used the opportunity to participate in formulating provincial medium term development plan as an avenue to incorporate their vested interests the provincial budget expenditure. Previous research on policy advocacy shed a lot of light on relevant theories primarily Paul Sabatier's Advocacy Coalition Framework, which serves as a grand theory on policy advocacy, while Roem Topatimasang's integrated advocacy provides practitioners an important tool to conduct policy advocacy analysis.

RESEARCH METHOD

This paper examines the extent to which social networks can influence public policy change the locus of research is Kendeng Mountains Community Care Network (JM-PPK), which is a social organization that is in Kayen Subdistrict, Pati Regency. The articles used a qualitative research design, which was chosen because of the ability of the method to help in obtaining relevant information and insights about the rationale for the formation, activities, and influence of JM-PPK on policy making in Kayen sub district in general, and in efforts to force the local government to rescind the regulation that in effect signaled approval of the local

government of the operational license for the establishment on a cement plant in Kayen sub district. That way, the approach enabled researchers to gain in-depth insights about the meaning, drivers, and dynamics of the relations between JM-PPK and local government with respect to cement factory policy. Informants who served as key information sources were selected based on purposive sampling technique. In-depth interview techniques and review of published documents were used to collect data that relates to the issue of policy advocacy relating to the operational permit to construct a cement factory in Kayen District, Pati District. Three informants who comprised (i) the Chairperson of the Kendeng mountainous community care network (JM-PPK); (ii) Legal Aid Institute Semarang; and (iii) JM-PPK Srikandi women members. The key criterion that each informant had to meet was knowledge about the policy advocacy process that JM-PPK championed which persuading the local government to rescind the permission it had issued to allow the construction of a cement factory in Kendeng mountains. Triangulation of data sources and data collection techniques was used to improve on data quality. Miles, Huberman & Saldaña (2014) provided the reference and guidelines on data techniques used in data processing, analysis, interpretation, and drawing of conclusion was based on guidelines

FINDINGS AND DISCUSSION

Policy advocacy is an instrument that is increasingly being used by various actors ranging from community organizations, non-governmental organizations (NGOs), individuals to community groups in ventilating their respective positions and perspectives with respect to policy advocacy is often triggered by a situation that is characterized by the existence of nonexistence of public policy that is not in line with, or does not meet public expectations. The aim of policy advo-

cacy is to change public policy from an undesired state to a desired one, either by changing a bad policy to a good one or championing for the implementation of the desired policy where none exists. This focused-on activities and initiatives that members of Kayen community carried out that were aimed at persuading the sub local government to rescind its decision to give permission to Indocement subsidiary to construct a cement plant in kendang mountains, Kayen sub district.

Formation of Kendeng Caring Community Network (JM-PPK)

Kendeng Mountains Community Care Network (JM-PPK) is a local community in Pati Regency, which was formed based on commonality of awareness and interests of community members about the need and urgency to take measures to preserve and conserve the local environment. The idea to mobilize the community came at the initiative of Mr. Gunretno who was once a member of the Pati Farmers Union (SPP). That said, the fundamental reason for establishing the Kendeng Mountains Caring Community Network (JM-PPK) was to serve and promote interests of Pati Farmers Union community hence by extension, focused largely on agricultural issues, with little relation to the environmental protection. Nonetheless, previous conflicts that were in part sparked off by activities of a cement factory in the area were also a contributory factor.

“We formed this JM-PPK network in the form of mutual awareness of residents, especially farmers who felt anguish at the growing expansion of cement companies, and we did not want our area or the environment around the Kendeng Mountains to be damaged. This network is committed to protecting this area until we achieve that goal” (Interview with Gunretno JM-PPK, 13/8/2017)

It is also true however, that the establishment of the Kendeng Mountains Community Care Network (JM-PPK) was in part attributable to wishes of the indigenous groups who have long inhabited the North Kendeng Mountains in Pati Regency. These indigenous groups are often referred to as the Sedulur Sikep Community. The community owes its inspiration to Raden Kohar, who was once a prominent political and intellectual figure who lived during the 18th century Dutch Colonial rule. Some of his activities relates to increasing the understanding of the local community about the importance of preserving the environment. Thus, drawing on Kohar’s inspiration, the first step of activities was to of es disseminate knowledge about the environment and the potential impact of the planned construction of a cement plant on local population and the environment. Nonetheless, while JM-PPK engaged in persuading local population to reject plans to construct a cement factory in the area, its activities at the outset were limited to proactive and reactive measures rather than open and confrontational build a cement factory by PT. Sahabat Mulia Sakti in the area. It must be noted mode of action that JM-PPK was necessitated by the fact that it does have a formal organizational structure, it does not have legal formal status (not registered as a social organization by the local government). Thus, JM-PPK actions were largely voluntary and motivated by the desire to galvanize local community to oppose the construction of the cement plant due to the harm it would pose to the community. What policy advocacy requires is not the existence of a formal organization rather a coalition of likeminded people motivated by the common goal of achieving policy change. This is reflected in the process that workers in Surakarta used in their attempt to clamor for policy change (Rahardian & Haryanti,2018)

Choosing Strategic Issues

In selecting a strategic issue, Kendeng Mountains Caring Community Network (JM

-PPK) considers what suits the needs and interests of its community members. JM-PPK routinely coordinates with its members to determine the strategic issues that are selected to advocate for in its activities. With respect to the cement plant, JM-PPK agreed that championing the cause of rescinding the operational license to construct a cement fact fitted into the ambit of issues that are strategic for the community. The decision was based on considerations that included, the existence of many irregularities evident in PT Sahabat Mulia Sakti that showed the overemphasis on achieved economic gains over environmental preservation. One such irregularity was the discovery of several caves and springs in the Kendeng Mountains that were not in line with reality.

“Actually, various studies on the conversion of functions of the area, especially protected areas, indicate the difficulty of doing that, but also underscore the need to comply with prudential principles, if such a process can go ahead. Nonetheless, caution and proactiveness should take precedence over tackling the effects of environmental damage. Based on what we observe, conversion of functions in this area should not be tolerated because such efforts are driven by economic interests, business interests in an area that was once designated as protected not is today a mining area. Besides environmental impact analysis permits that are issued are also influenced more by political agendas and interests, than scientific facts” (Interview with Ivan Wagner, Legal aid Semarang, 27/8/2019)

However, in reaching decision on what issue is strategic, JM-PPK involves community members in its deliberations. In the aftermath of the decision by the local government to issue an operational permit to PT Sahabat Mulia Sakti, which is based on Pati

regency regulation No. 660.1/4767/2014 that in effect allowed the building of a cement plant in Kendeng mountains, preserving and protecting the environment has become important hence as a strategic issue for the organization. Thus, the process of determining a strategic issue that forms the backdrop to policy advocacy, which provides the form, scope, direction, and composition of clear demands that support the advocacy process, a crucial component of policy advocacy. To that end, results of this research corroborates Topatimasang (2016) findings on policy advocacy based on the integrated advocacy.

Designing Goals and Strategies

Strategies and goals provide the direction that policy advocacy process takes, JM-PPK designs goals and strategies through discussions. Meetings serve as forums in which targets are set, tactics to achieve such targets are worked out, and actions are determined. Thus, results of meetings include policy advocacy campaign actions, hearings, lobbying and negotiations with various parties at the local and national scale. Excerpt of an interview with an informant corroborates that:

“So, our main target ranged from are local policy makers (regency administration) to national (Central Government) agencies that were relevant to the Karst region policy and focused on efforts to persuade Pati regency RTRW to rescind the wrong and misguided policy” (Interview with Ivan Wagner, Legal Aid Semarang, 27/8/2019).

To that end, in conducting its activities, JM-PPK understood the importance of setting policy advocacy goals, planning and targets, which activities previous research on effective advocacy found to be pivotal for successful endeavors. This is attested by Barnes, van Laerhoven & Driessen (2016) research results on the role that plan targets and goals play in influencing the implementation of forest right laws in India that were led by civil society coalitions can influence.

Table 1. Contradictory Data

Contradictory Rules	Main reason
Minister of Energy and Mineral Resources Regulation No. 0398 K/40/MEM/2005 concerning the Designation of Sukolilo Karst Area	The karst landscape is a geological protected area and the Sukolilo Karst Area has been designated as a Karst Zone
Pati Regent regulation No. 660.1/4767/2014 concerning the issuing of Environmental Permit for the Construction of a Cement Plant, limestone and claystone mining in Pati Regency to PT. Sahabat Sakti Mulia (SMS)	Terms of Reference for Environmental Impact Analysis (KA-AMDAL) as an integral and inseparable part of the AMDAL document which is the basis for the issuance of Decrees was not in accordance with the Local government Spatial Plan.
Republic of Indonesia Law No 32/ 2009 concerning Environmental Protection and Management	Contains legal irregularities, errors, misuse, and falsehoods and/or falsification of data, documents and / or information
Central Java Regional Regulation No. 6/ 2010 concerning Central Java Province Spatial Planning for 2010-2030	The Karst area is a strategic area in Central Java based on its role and functions and as a catchment area for the ecosystem making it strategically important in the province.
Pati District Regulation No 5 / 2011 concerning the District Spatial Plan for 2010-2030	The Karst area is an area that provides protection to areas beneath it that should be preserved and conserved

Source: Data Material of Kendeng Advocacy Team, 2017

Data and Information Processing

Prior to engaging in policy advocacy activities, JM-PPK collected data and information on the potential of Kendeng Mountains. Data was obtained thanks to collaborative efforts between JM- PPK, which as has been mentioned earlier ,the foundation of which is based on the inspiration of the wisdom of the Samin indigenous people on one hand, and other relevant and reliable parties that included the Indonesian Speleological Society (ISS) Semarang, Acintyacunyata Speleological Club (ASC) Yogyakarta and Yogyakarta UPN Veteran Disaster Management Study Center (PSMB UPN), on the other. The following excerpt of an interview with one informant confirms the source and importance of data and information JM-PPK used in its policy advocacy activities:

“As regards data on problems in Kendeng, we asked for help from sev-

eral academics, experts, and universities. The data was used to support our arguments because, there are not many people in the village who have formal education which is why we asked him for help from other people who are smarter than us” (Interview with Mrs. Gunarti, Srikandi JM-PPK, 13/8/2017).

JM-PPK used various data and information as a weapon to support its arguments that rejected plans to establish a cement factory in Kayen District, Pati District. Equipped with a lot of data on the potential of the area, which contrasted with that from local government sources, strengthened the position of JM-PPK in exerting pressure on the local government to rescind the decision that awarded an operational license for a cement plant to PT Sahabat Mulia Sakti. Table 1 shows data JM -PPK obtained from vari-

ous sources, which it later used to good effect in its policy advocacy activities.

Processing data and information is important part policy advocacy activities. Based on theories stipulated and cited by Paul A Sabatier (2007) and Roem Topatimasing (2016), respectively, sharing and disseminating information can become weapons in conducting policy advocacy. Research conducted by Rahardian & Kurnia (2018) also corroborates the importance of information and data processing in conducting policy advocacy in Jebres Subdistrict, Surakarta City.

Mobilizing Policy Advocacy Supporters

The policy advocacy process garnered the support of various partners and allies in a network that included among others Semarang Legal Aid Institute (LBH), the Jakarta Legal Aid Institute (LBH), the Indonesian Forum for the Environment (WALHI), the People's Coalition for the Right to Water (KRuHA), Desantara, KONTRAS (Commission for Missing Persons and Victims of Violence), Acintyacunyata Speleological Club (ASC) Yogyakarta, the Indonesian Speleological Society (ISS) Semarang and Nahdlatul Ulama (NU) religious groups in Kayen District, culture conservationists such as Ehma Ainun Najib (Cak Nun), Academics such as Tjahyo Nugroho Aji who is a Karst geomorphology-hydrologist from the Faculty of Geography, Gadjah Mada University, and Benny D. Setianto, from Semarang Soegijapranata Catholic University (Unika) Environmental Law. To underline the importance of sourcing support from various stakeholders, an interview with Gunarti discloses the rationale by noting that:

“We arouse support from various stakeholders by taking actions that generate sympathy for h other communities. JMPPK activities and those of mothers of srikandi, aroused conscience of other parties and stakeholders to lend support for not only

activities of JMPPK, but also those of other brothers in other areas. (Interview with Mrs.Gunarti, Srikan-di JM-PPK, 13/8/2017)

Drawing the support of stakeholders from various fields and areas to the advocacy cause, has a powerful impact on policy change. Consequently, through carrying out a series of activities by (JM-PPK and its allies, succeeded in forcing Pati regency government to reverse the decision that had awarded operational license for building a cement plant in Kendeng mountains, Kayen sub district. Nonetheless, it is worth noting that JM PPK policy advocacy activities, especially the mobilization of support to force a reversal of the operational permit to establish a cement plant in Kayen sub district, which were spearheaded and steered by Gunretno, were not devoid of obstacles. One key obstacles was the conflict that arose between some Samim indigenous people who expressed disinterest in getting involved in the dispute that cement license sage that pitted the community on one hand and Pati regency and PT. Sahabat Sakti Mulia (SMS) as the company that was the beneficiary of the cement plant operational license, on the other. Networks in policy advocacy are vital to support and sustain advocacy campaign financing and human resource capacity (Sabatier & Weible, 2007). Table 2 shows the roles played by every member of the advocacy network that eventually forced Pati regency government to rescind the permission it had awarded to build a cement plant

Comparative Plan

The suit filed by JM-PPK network that demanded the reversal of the permit which Pati regency government has issued to allow the establishment of a cement plant in Kayen sub district. After deliberations, the panel of judges of the State Administrative Court (PTUN), Semarang through Verdict No. 015 / G / 2015 / PTUN-Smg as declared on

Table 2. Roles of Network Participants and Supporters in The Save The Kendeng Mountains Advocacy Campaign

Organization	Role
Semarang Legal Aid Institute (LBH), the Jakarta Legal Aid Institute (LBH)	Helping the network of people concerned with the Kendeng mountain to file a law suit in court
The Indonesian Forum for the Environment (WALHI)	Review environmental issues and determine the potential and current state of damage that occurred in the Kendeng mountains since the cement plant operational license was issued
The People's Coalition for the Right to Water (KRuHA)	Estimate the impact to damage to water springs around the Kendeng mountains
KONTRAS (Commission for Missing Persons and Victims of Violence)	Help in identifying and recording any incidents that involved acts of violence or intimidation against environmental protection protestors carried out by law enforcement agents.
Acintyacunyata Speleological Club (ASC) Yogyakarta, the Indonesian Speleological Society (ISS) Semarang	Determine environmental damage as well as assessing the effects of the activities cement factories on the Karst region
Nahdatul Ulama (NU) Kayen	Mobilizing the public participation in public speeches on the importance of environmental protection and conservation

Source: Interview with Mrs. Gunarti, 2017

November 17, 2015, stated that the panel of judges:

- a. Accepted all Plaintiff's claim in their entirety
- b. Declare that the Pati Regent decision No 660.1/ 4767 of 2014 issued on December 8, 2014 concerning the issuing of an Environmental Permit for the Construction of Cement Plant and Limestone and Claystone mining in Pati Regency by PT Sahabat Mulia Sakti,
- c. Require the Defendant to revoke the Pati Regent decision No: 660.1 / 4767 Year 2014 issued on December 8, 2014 concerning Environmental Permit for the Construction of Cement plant and Claystone and Lime-

stone Mining in Pati Regency by PT Sahabat Mulia Sakti.

- d. Demand that the Defendant and Defendant II to pay Rp. 300,000 (three hundred thousand rupiah) in court fees relating to this dispute of.

Subsequently, however, on November 24 and 27, 2015 the defendants filed an appeal against the decision of the Semarang State Administrative Court (PTUN) in Surabaya Administrative Court Appeal. Unlike the verdict of the Semarang Administrative Court, the Surabaya Administrative Court Appeal Assembly in Decision No: 79/ B/2016/ PT.TUN-Sby which was pronounced on July 1, 2016, stated that:

- a. Accepted the appeal of the Defendant / Appellant I (Governor) and De-

fendant II Intervention/ Comparative II (PT. Semen Indonesia)

- b. Canceled the Decision of the Semarang State Administrative Court Number 015 / G / 2015 / PTUN.Smg, dated November 17, 2015,
- c. Rejected the Plaintiff / Objection lawsuit in its entirety
- d. Imposed fine on Plaintiff / Objection lawsuit to pay court fees for the two-tier courts for the appeal amounting to Rp. 250,000.00 - (two hundred fifty thousand rupiah).

In the aftermath of the appeal's court decision, JM PPK continued the litigation by demanding a judicial review of the Semarang State Administrative Court's decision Number. 064/G/2015/SMG and the appeal decision of the State Administrative Court (PTUN) Surabaya Number. 135/B/2015/SBY. However, the outcome was that judicial review process had passed beyond statute of limitations. Nonetheless, JM-PPK continued in its persistence to pursue the case. The motivation was propped by the new information that was based on evidence obtained by Kendeng farmers' legal team. Evidence related to false witness statements which PT Sahabat Mulia Sakti officials presented during the socialization activities that were aimed at weighing public support for the construction of the cement factory. Equipped with new evidence JM-PPK accompanied by 600 residents filed a cassation appeal to the Supreme Court (MA) Eventually the Supreme Court (MA) accepted the judicial review (PK) JM-PPK submitted, which in effect meant that Kendeng community had won the case against local government decision to issue an operational permit license that would have allowed the establishment of a cement factory, limestone and claystone mining facility in Kendeng Mountains. Doubtless, the decision was met by delight by Kendeng mountains community as well as other allies in the network that

had played various roles in the protracted policy advocacy exercise. Using legal channels in policy advocacy is the most ideal mechanism because public policy is a legal product (Topatimasang, 2016). To that end, by using litigation to redress public policy that did not meet expectations of the local community was in line with experience and practices that are abound in previous research on policy advocacy. The following excerpt from an interview with Ivan Wagner, legal Aid Semarang, clarifies that point:

“Residents have submitted an appeal on September 24 and handed over the memory of cassation. Based on our considerations, the application of law by Surabaya Administrative Court was not in accordance with the applicable laws and regulations, and the panel of judges showed negligence in implementing existing laws and regulations. One of the irregularities in interpreting the law was reflected in the statement by one of panel of judges, stated in its consideration that the object of the dispute did not overlap with the Karst area. (Interview with Ivan Wagner, Legal Aid Semarang, 27/8/2019).

Influencing Policy Makers

JM-PPK conducted various activities that were aimed at influencing the change in the policy implemented by Pati regent and Central Java governor that in effect gave permission to build a cement plant in a Karst area in Kayen sub district. Policy initiatives included, among others, 1). *Staging demonstrations and campaigns announced through press releases.* JM-PPK conducted a 20-Kilometer long march whilst carrying a torch that signaled encouragement to all parties and stakeholders to conserve Kendeng Mountains. The event occurred on Thursday night, May 19, 2016. The peaceful event begun with a petition of Nyai Ageng Ngerang in Tambakromo District, Pati District which is likely to be adversely affected by planned

establishment of a cement factory and limestone and claystone mining facility.

Environmental Impact Analysis (AMDAL) Controversy

JM-PPK issued an oral and written statement that declared that the environmental permit that PT Sahabat Mulia Sakti had which supposedly was based on meeting the requirements of an Environmental Impact Analysis (AMDAL) of issued by Pati Regency was invalid because it was issued based on an invalid Environmental Impact Analysis document. To that end, JM PPK disclosed that the joint survey team did not carry out its expected functions of counting all springs in the prospective land area, which Pati Regent decision had conceded to PT. Sahabat Mulia Sakti in the decision statement that gave it the license to build a cement plant and limestone and claystone mining facility.

“During that time, the socialization analysis team on environmental impact only disclosed the positive impact of the cement plant, hence the joint team survey did not inspect the whole location or come just arrive and within no time, leave the area (Interview with Gun Retno, JM-PPK, 13/8/2017).”

To redress that problem, JM PPK requested for the conduct of an impact analysis that covered social, economic, environmental and biodiversity aspects of the area. The expectation was that by conducting such a comprehensive impact analysis, would help resolve the protracted debate on the potential of Kendeng mountains and the potential harm to society and environment that would occur if the cement plant could operate in the area. Such a process would prove that Pati local government was open and transparent in handling the cement permit saga.

Piling on The Pressure on Jakarta, Indonesian Capital City

JM PPK policy advocacy was not

confined to Pati regency and Central Java province but went as far as the Indonesian city Capital, Jakarta. Some members of Kayen community allowed their legs to be cemented in casts in front of the State Palace, an activity that lasted from April 12, 2016 to March 13, 2017. Farmers who participated in the food cast protest hailed from Kendeng Mountain region, including Pati, Rembang and Grobogan. The objective of the act was to protest the decision of the Pati administration to give operational permit for the construction of a cement plant and limestone and claystone mining facility in a Karst area, which is a highly unstable and environmentally vulnerable geomorphology.

“We conducted a large-scale protest in Jakarta to arouse the sensitivity of the central government to pay attention to our cause and take decision to redress care and the protracted cement permit saga in the Kendeng mountain area. We expressed readiness to keep on fighting until a solution that ensured environmental sustainability of the Kendeng mountain range was found.” (Interview with Gun Retno, JM-PPK, 13/8/2017)

The protests staged by Kendeng farmers were not merely aimed at redressing the wrong that affected their livelihoods back home in Pati Regency, but also raise central government attention to protecting and conserving nature in Central Java. By asking the intervention of the Central Government in an issue that had become protracted, impacted lives of many, and showed no signs of solution at the time, Pati farmers expected that their action would underline the importance and urgency of a solution to the impasse through mediating the conflicting parties. Mobilizing people in policy advocacy is necessary because the success in garnering the support of many people symbolizes and sends a strong message that the policy in question is very important and draws the support of many. A policy change that

draws the support of many people is perceived by policy makers as a serious problem that demands the attention of those vested with authority and power to formulate and implement public policy. Thus, mass mobilization efforts, which JM PPK effected in order to help in solving an existing problem, is very much in line with results in previous research on policy advocacy on anti-incinerator protests in Guangzhou China (Wong, 2016), among others.

Galvanizing Public Opinion

To influence public opinion, JM-PPK staged demonstrations and campaigns. What, however, turned the events into a change movement was that protested were limited to voiced opinions and making loud speeches, but also were punctuated by prepared press releases that delivered the import and rationale for the events. Press releases provided JM PPK the opportunity to involve the participation of journalists in the movement activities by reporting contents of press releases. Consequently, the reach of newspapers both press and electronic meant that actions that involved JM PPK reached not only residents of Pati regency and Central Java province but the whole country. Public opinion was sensitized to the issue, which helped the cause by drawing the attention and understanding of an increasing array of sympathizers from the government, NGOs, academia, and other indigenous communities facing similar development related environmental sustainability problems. The following interview highlights the importance of sensitizing public opinion to the success of the policy advocacy.

“We conducted discussions with sedulur Sikep and attended public seminars held by several universities. Yes, we conveyed to listeners that what we saw in Kendeng region where we have lived for generations as worrisome unless change occurs (Interview with Mrs. Gunarti, Srikan-di JM-PPK, 13/8/2017).”

JM PPK conducted policy advocacy by participating in public discussions and seminars on to the plan to establish a cement factory in Kayen sub district. In various scientific meetings, discussions, seminars, and Focus Group Discussions (FGD), JM PPK used them as an opportunity to level serious criticism of the Government plan to a cement factory in Kayen sub district and Kendeng mountain range. by. Moreover, to strength its argument, JM PPK supports its position with credible data and information obtained from various sources as well as evidence from observations on the ground. Even more important, is JM PPK readiness to offer solutions to the problem. Raising and managing public opinion is useful approach in forming and sustaining a coalition to support policy advocacy. This is because of public opinion that is supportive of policy advocacy in important for its sake, but also, even more pertinent to this issue is that previous research and theory on policy advocacy corroborate its necessity as Topatimasang (2016) and Sabatier & Weible (2007), contend.

v. Policy Advocacy Movement Base

In building a movement base, JM-PPK organized members of the community, and established a post called “Omah Kendeng”, which provided political education and awareness of community members about their rights and information about the mega-project development plan. The post was located on the slopes of Kendeng Mountains, Sukolilo District, which at the same time was the birthplace of JM PPK activities in 2008. The year 2008, coincided with establishment of the first cement factory, PT Semen Gresik in Sukolilo District.

“JM-PPK has its roots in the community, it is an NGO, so it is community organization and not legally registered as a non-governmental organization (NGO). Other community organizations may need legality to justify their presence and relevancy, JM PPK is a group of community residents who

care about the Kendeng mountain environment, hence do not need legality to now that or project their stance about an issue they see, feel, and consider very important in their lives and those of future generations” (Interview With Gun Retno, JM-PPK, 13/8/2017)

One of the activities at the Omah Kendeng post was to help in the dissemination of information about the essence of the movement by giving out leaflets, banners and posters to participants in protests and demonstrations. In addition, the Omah Kendeng post served as a meeting place for discussions among members of the community relating to functions and benefits of Kendeng Mountains. Attendies of such meetings included people from all sections and groups in society, who were united by their common goal and solidarity to save and protect Kendeng Mountains from potential dangers of destruction, to strengthen credence of its argument, JM-PPK presents documentary films on environmental damage which served as eye openers for the public. Thus, establishing a mass advocacy movement base, is essential for the continuation and sustainability of the fighting spirit to change government policy that is detrimental to interests of society and environment. Research by Rahardian & Haryanti (2018) underscores the importance of establishing and sustaining a support base that serves as launching pad in organizing and directing policy advocacy activities.

Policy Advocacy Monitoring and Evaluation

Executing policy advocacy strategies is not enough with monitoring and evaluating whether, they achieve intended outcomes. To that end, JM-PPK always monitors and assesses the progress and performance of advocacy programs it implements. Thus, despite facing obstacles in implementing its monitoring and evaluation activities such as occurred during cement plant permit rejection

advocacy where joint evaluation inspections faced internal squabbles, monitoring and evaluation continue to be an important component of JM PPK activities because of the important role such activities play in ensuring that activities on the ground go as planned. Joint evaluations while not regular, are often conducted when and if needed based on outcomes of discussions with partners of the policy advocacy alliance. To that end, conducting evaluation and monitoring activities are integral component of policy advocacy activities, a point that Topatimasang (2016) confirms. Evaluation is not only limited to comparing the progress of work at hand with target and planned objectives, but also serve as parameters that gauge future course of action.

Policy Advocacy Results

Outcomes of a series of policy advocacy activities initiated and sustained by JM-PPK that were aimed at galvanizing public rejection of the permission to build a cement factory in Kendeng mountainous range, Kayen sub district, were positive. These included the suit filed in Semarang State Administration (PTUN) court, another in the Indonesian Supreme Court (MA), which eventually ruled against the permission to build a cement factory in Kayen Subdistrict, Pati Regency. In addition, JM-PPK succeeded in framing the, the cement plant construction narrative in such a manner that swayed public opinion both in Pati regency and at the national level among various stakeholders including central government institutions, NGOs, academia, mass media to oppose the project. The cement plant permit saga continues to this day, and has become a hot issue for the government, private sector, especially PT Semen Indonesia, as the outcome of a Strategic Environmental Study (KLHS) which will determine whether a cement plan will be constructed in Kendeng mountainous region.

CONCLUSION

This research assessed the performance of JM-PPK and its policy advocacy activities that culminated in the supreme court ruling that against the permit issued by Pati regent that allowed the construction of a cement plant in Kendeng mountainous range, Kayen sub district, Pati regency, Central Java province. Policy advocacy process that encompassed forming a core circle of stakeholders, choosing strategic issues, designing goals and strategies, processing data and information, mobilizing support for the campaign, forging alliances, establishing movement base, influencing policy makers, influencing public opinion, and conducting monitoring and evaluation of the performance of program activities. Meanwhile, policy advocacy results were positive or successful, if tentatively, gauged from the fact that JM PPK activities eventually achieved the objective of forcing revocation of the permit which the local government had issued to a PT Indocemen subsidiary to build cement plant and limestone and claystone mining facility in Kendeng mountains, Kayen sub district, Pati district. Policy advocacy campaign is also considered a success because it was able to in frame the issue into a national one as it drew public attention to injustice which the community living around the slopes of Kendeng mountains faced. Nonetheless, outcome of the saga still awaits results of the Strategic Environmental Study (KLHS), which will issue a final ruling as to whether a cement plant will be constructed on the foothills of Kendeng mountain range, Kayen sub district, Pati regency, Central Java province.

As regards policy implications of this research, results of this research that evaluated the various stages of the protracted policy advocacy process, shed light of what activities the process requires to be successful. Results also underscored the importance of adopting a various tactics based on conditions of the ground as well as dynamics that

relates to the case at hand, to achieve the intended outcomes. To that end, results of this research results provide evidence that supports theories on policy advocacy. Thus, results of this study will enrich current empirical research on policy advocacy. Specifically, results provide measures which non-governmental organizations, individuals or community groups with interest in preserving nature and the potential of Kendeng Mountains can take to prevent a recurrence of the situation where the local government without making consultations with local community issues a permit that allows exploration of a vital natural resources that is the source of livelihood for many in the vicinity and beyond. The results can also serve as input into future policy advocacy activities in the event the strategic environmental study report recommends the awarding of an operational license to PT Semen subsidiaries to construct a cement factory and limestone and claystone mining facility in the area.

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